

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FORM FOR FILING CONTINUING APPLICATION
UNDER 37 C.F.R. § 1.53(b)

03970 U.S. PTO
10/676006
100203

Attorney Docket Number 59191.000003

Prior Application: 08/676,186

Anticipated Classification Of This Application:

Examiner: L. Wong

Class ___ Subclass ___ Art Unit: 1761

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 C.F.R. § 1.53(b) of prior Application Serial No. 08/676,186, filed July 12, 1996, entitled **A METHOD OF IMPROVING THE PROPERTIES OF A FLOUR DOUGH, A FLOUR DOUGH IMPROVING COMPOSITION AND IMPROVED FOOD PRODUCTS** by the following named inventors: Jørn Borch SØE, Charlotte Horsmans POULSEN, and Pernille Bak HØSTRUP.

1. ☒ Enclosed is a true copy of the prior complete application as originally filed, including the oath or declaration. No amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.
2. ☒ Preliminary Amendment is enclosed.
3. ☐ Cancel in this application original claims ___ of the prior application before calculating the filing fee. At least one original independent claim is retained to complete the prior application introduced new matter therein.
4. ☒ The filing fee is calculated on the basis of the claims existing in the prior application as mentioned at 1, 2 and 3 above.

| FOR | NUMBER FILED | NUMBER EXTRA | RATE | CALCULATIONS |
|-----------------------------------------------------------------------------------------------------------------------------------|--------------|--------------|--------------|--------------|
| TOTAL CLAIMS | 28 | 8 | x \$18.00 = | \$144.00 |
| INDEPENDENT CLAIMS | 4 | 1 | x \$80.00 = | 80.00 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | 0 | | x \$270.00 = | 270.00 |
| BASIC FEE | | | | 710.00 |
| TOTAL OF ABOVE CALCULATIONS= | | | | |
| REDUCTION BY ½ FOR FILING BY SMALL ENTITY(Note 37 C.F.R. 1.9, 1.27, 1.28). IF APPLICABLE, VERIFIED STATEMENT MUST BE ATTACHED. | | | | 0 |
| TOTAL = | | | | 1,204.00 |

5. ☒ The Commissioner is hereby authorized to charge fees under 37 C.F.R. § 1.16 and § 1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0206.
6. ☐ Please charge \$ to Applicant's Deposit Account No. 50-0206 (attached is a copy of authorization to charge Applicant's Deposit Account).
7. ☒ Amend the specification by replacing the first sentence with:
This is a continuation of Application Serial No. 08/676,186, filed July 12, 1996, which was a continuation-in-part of Application Serial No. 08/483,870, filed June 7, 1995, abandoned, and was a U.S. national phase of PCT/DK96/00239, filed June 4, 1996.
8. ☐ A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27 ☐ is enclosed.
☐ was filed in prior application Serial No_ and such status is still proper and desired (37 C.F.R. § 1.28(a)).

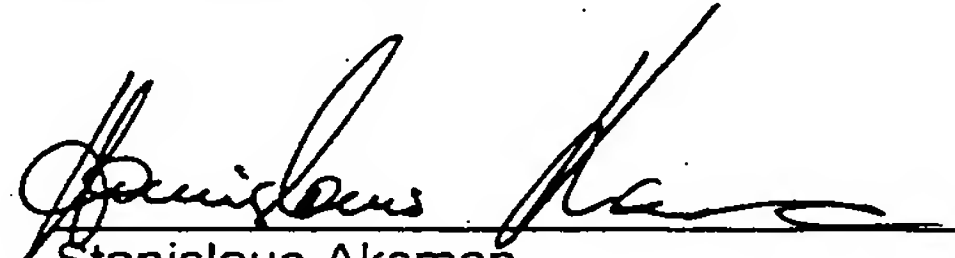
9. ☒ Priority of U.S. Patent Application, Serial No. 08/483,870, filed on June 7, 1995, is claimed under 35 U.S.C. § 120.
☐ A certified copy of each was filed in prior Application Serial No. ____ filed ____.
10. ☐ New formal drawings are enclosed.
11. ☒ The prior application is assigned of record to Danisco A/S.
12. ☒ The power of attorney in the prior application is:
a. ☐ The power of attorney appears in the original papers in the prior application.
b. ☒ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
c. ☐ Please remove as power of attorney:
13. ☐ Enclosed is an Associate Power of Attorney to the Undersigned Counsel.
14. ☐ Also enclosed: An INFORMATION DISCLOSURE STATEMENT. Attached are Forms PTO-1449 listing all of the documents cited by Applicants and the PTO in the parent application(s) relied upon 35 U.S.C. 120. Per Rule 98(d) copies of those documents are not required now. Please consider these documents and advise that they have been considered in this new application by returning a copy of the enclosed Forms PTO-1449 with the Examiner's initials in the left column per M.P.E.P. 609.
15. ☒ Address all future communications to:
STANISLAUS AKSMAN
HUNTON & WILLIAMS
1900 K STREET, N.W.
WASHINGTON, DC 20006
(TEL.) (202) 955 1500
(FAX) (202) 778-2201

The undersigned further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the applications or any patent issuing thereon.

Dated:

August 21, 2001

By:


Stanislaus Aksman
Registration No. 28,562

LAW OFFICES
HUNTON & WILLIAMS
1900 K STREET, N.W., SUITE 1200
WASHINGTON, D.C. 20006-1109
(202) 955-1500



18334 U.S. PTO

October 2, 2003

INTELLECTUAL PROPERTY DEPARTMENT
HUNTON & WILLIAMS LLP
1900 K STREET, N.W.
WASHINGTON, D.C. 20006-1109

TEL 202 • 955 • 1500
FAX 202 • 778 • 2201

STANISLAUS AKSMAN
DIRECT DIAL: (202) 955-1926
EMAIL: SAKSMAN@HUNTON.COM

FILE NO: 59191.000009

UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket Number: **59191.000009**

First Named Inventor: **Jørn Borch SØE**

Title: **A METHOD OF IMPROVING THE PROPERTIES OF A FLOUR DOUGH, A FLOUR DOUGH IMPROVING COMPOSITION AND IMPROVED FOOD PRODUCTS**

Customer No. **21967**

TO: **MAIL STOP PATENT APPLICATION**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached are the following for filing with the U.S. Patent and Trademark Office:

1. ☐ Fee Transmittal Form (original and duplicate)
2. ☐ Small Entity Status Claimed: ☐ Independent Inventor
☐ Small Business Concern
☐ Non-Profit Organization
☐ Statement Enclosed
☐ Statement Filed in Prior Application; Status Still Proper and Desired
3. ☒ Specification - Total Pages: 45 (Including Claims and Abstract)

MAIL STOP PATENT APPLICATION

October 2, 2003

Page 2

| CLAIMS AS FILED | | | | | | |
|-------------------------------------------------|--------------|------------------|-------|--------------|--------------|-------------------|
| | Claims Filed | Basic Fee Claims | Extra | Rate | | Amount |
| | | | | Large Entity | Small Entity | |
| Total Claims | 28 | 20 | 8 | \$ 18.00 | \$ 9.00 | \$ 144.00 |
| Independent Claims | 4 | 3 | 1 | \$ 86.00 | \$ 43.00 | \$ 86.00 |
| First Presentation of Multiple Dependent Claims | | | | \$ 290.00 | \$ 145.00 | \$ 290.00 |
| BASIC FEE | | | | \$ 770.00 | \$ 385.00 | \$ 770.00 |
| TOTAL FILING FEE | | | | | | \$ 0.00 |
| Assignment Recordation Fee | | | | | | \$ 0.00 |
| TOTAL AMOUNT | | | | | | \$1,290.00 |

4. ☐ Drawings - Total Sheets: _____ (Fig(s). _____)

5. Oath or Declaration - Total Pages: 2

a. ☐ Newly executed (original or copy)

☐ New (unexecuted)

b. ☒ Copy from a prior application
(for continuation/divisional with Box 18 completed)

i. ☐ **DELETION OF INVENTOR(s):**
Signed statement attached deleting inventor(s) named in prior application.

6. ☐ Application Data Sheet

7. ☐ CD-ROM or CD-R in duplicate, large table or Microfiche Computer Program (Appendix)

8. ☒ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

a. ☐ Computer Readable Form (CRF)

b. ☐ Specification Sequence Listing on:

i. ☐ CD-ROM or CD-R (two copies); or

Page 3

- ii. ☒ Paper Copy (identical to computer copy)
- c. ☐ Statements verifying identity of above copies
9. ☒ Assignee/Applicant: DANISCO A/S
- ☐ Assignment and Assignment Recordation Form Submitted Herewith
- ☒ Assignee of Record in Prior Application No. 08/676,186 :
- _____
- _____
recorded on 09/12/96 at Reel 012190, Frame 0284-0286.
10. ☐ 37 C.F.R. 3.73(b) Statement ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement with PTO-1449 and References
- ☐ Copies of Information Disclosure Statement Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard
15. ☐ Priority is Claimed as Follows:
 09/932,923, filed August 21, 2001
 08/676,186, filed July 12, 1996, U.S. Patent 6,358,543
 08/483,870, filed June 7, 1995, abandoned, and was a U.S. National Phase of
 PCT/DK96/00239, filed June 4, 1996.
- ☐ Claim Benefit of the Following U.S. Provisional Application No(s).:
- _____
- _____
- ☐ If Foreign Priority is Claimed, Certified Copy of the Above Priority Document(s) is Submitted Herewith
16. ☐ Nonpublication Request under 35 U.S.C. § 122(b)(2)(B)(i). Applicant must attach Form PTO/SB/35 or its equivalent.

MAIL STOP PATENT APPLICATION

October 2, 2003

Page 4

17. ☒ Other: Copy of Revocation and Appointment of New Power of Attorney in Application 08/676,186, dated November 5, 1998

18. ☐ Continuation ☒ Divisional ☐ Continuation-in-Part of
Prior Application No.: 09/932,923 filed August 21, 2001

Prior application information: Examiner Keith D. Hendricks Group
Art Unit 1761

☒ Incorporation By Reference (useable if Box 5b is marked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application papers.

☐ Complete Application Based on Provisional Application No.: _____
filed _____

19. Please address all correspondence to:

☒ CUSTOMER NUMBER **21967**

Stanislaus Aksman
Intellectual Property Department
Hunton & Williams LLP
1900 K Street, N.W.
Suite 1200
Washington, DC 20006-1109

20. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is as follows:

☐ The power of attorney is to: Stanislaus Aksman, Reg. No. 28,562; Jennifer A. Albert, Reg. No. 32,012; Thomas E. Anderson, Reg. No. 37,063; David E. Baker, Reg. No. 42,285; Scott D. Balderston, Reg. No. 35,436; Carl L. Benson, Reg. No. 38,378; Thomas Blasey, Reg. No. 33,475; Bradford Blaise, Reg. No. 47,429; Thomas D. Bradshaw, Reg. No. 51,492; J. Robert Brown, Jr., Reg. No. 45,438; Tyler S. Brown, Reg. No. 36,465; Brian M. Buroker, Reg. No. 39,125; Christopher C. Campbell, Reg. No. 37,291; Katherine S. Chang, Reg. No.

MAIL STOP PATENT APPLICATION

October 2, 2003

Page 5

40,544; Robin C. Clark, Reg. No. 40,956; Trevor Q. Coddington, Reg. No. 46,633; Christopher J. Cuneo, Reg. No. 42,450; Ryan S. Davidson, Reg. No. 51,596; Patrick A. Doody, Reg. No. 35,022; Dinnatia J. Doster, Reg. No. 45,268; Kevin T. Duncan, Reg. No. 41,495; Kevin J. Dunleavy, Reg. No. 32,024; David D'Zurilla, Reg. No. 36,776; Ozzie A. Farres, Reg. No. 43,606; Nancy J. Flint, Reg. No. 46,704; Christopher J. Forstner, Reg. No. 46,049; James G. Gatto, Reg. No. 32,694; George Georgellis, Reg. No. 43,632; Charles F. Hollis, III, Reg. No. 40,650; David M. Huntley, Reg. No. 40,309; Nancy J. Jensen, Reg. No. 45,913; Herbert V. Kerner, Reg. No. 42,721; Steven P. Klocinski, Reg. No. 39,251; Robert C. Lampe, III, Reg. No. 51,914; Jeffrey S. Leaning, Reg. No. 51,184; Jonathan D. Link, Reg. No. 41,548; Charles B. Lobsenz, Reg. No. 37,857; Ryan S. Loveless, Reg. No. 51,970; Tyler Maddry, Reg. No. 40,074; J. Michael Martinez, Reg. No. 37,178; David H. Milligan, Reg. No. 42,893; James R. Miner, Reg. No. 40,444; Bryan F. Moore, Reg. No. 52,044; Devin S. Morgan, Reg. No. 45,562; Kerry H. Owens, Reg. No. 37,412; Jeffrey T. Perez, Reg. No. 52,110; Michael P.F. Phelps, Reg. No. 48,654; John P. Pinkerton, Reg. No. 28,746; Laurence H. Posorske, Reg. No. 34,698; Matthew J. Pryor, Reg. No. 45,278; Andrew J. Ririe, Reg. No. 45,597; Stephen T. Schreiner, Reg. No. 43,097; Robert M. Schulman, Reg. No. 31,196; Thomas J. Scott, Jr., Reg. No. 27,836; Yisun Song, Reg. No. 44,487; Shelley L. Spalding, Reg. No. 51,971; Henry C. Su, Reg. No. 37,738; Rodger L. Tate, Reg. No. 27,399; Raphael A. Valencia, Reg. No. 43,216; René Vazquez, Reg. No. 38,647; Samson Vermont, Reg. No. 42,202; Robert J. Ward, Reg. No. 28,746; and Scott F. Yarnell, Reg. No. 45,245.

☐ Please remove as power of attorney: Scott D. Balderston, Reg. No. 35,436; Thomas Blasey, Reg. No. 33,475; Bradford Blaise, Reg. No. 47,429; J. Robert Brown, Jr., Reg. No. 45,438; Tyler S. Brown, Reg. No. 36,465; Dinnatia J. Doster, Reg. No. 45,268; Kevin J. Dunleavy, Reg. No. 32,024; David D'Zurilla, Reg. No. 36,776; James G. Gatto, Reg. No. 32,694; George Georgellis, Reg. No. 43,632; David M. Huntley, Reg. No. 40,309; Steven P. Klocinski, Reg. No. 39,251; Charles B. Lobsenz, Reg. No. 37,857; Devin S. Morgan, Reg. No. 45,562; Kerry H. Owens, Reg. No. 37,412; Matthew J. Pryor, Reg. No. 45,278; Stuart I. Smith, Reg. No. 42,159; Henry C. Su, Reg. No. 37,738; Raphael A. Valencia, Reg. No. 43,216; and René Vazquez, Reg. No. 38,647.

☐ Please add as power of attorney: Stanislaus Aksman, Reg. No. 28,562; Jennifer A. Albert, Reg. No. 32,012; Thomas E. Anderson, Reg. No. 37,063; David E. Baker, Reg. No. 42,285; Carl L. Benson, Reg. No. 38,378; Thomas D. Bradshaw, Reg. No. 51,492; Brian M. Buroker, Reg. No. 39,125; Christopher C. Campbell, Reg. No. 37,291; Katherine S. Chang, Reg. No. 40,544; Robin C.

MAIL STOP PATENT APPLICATION

October 2, 2003

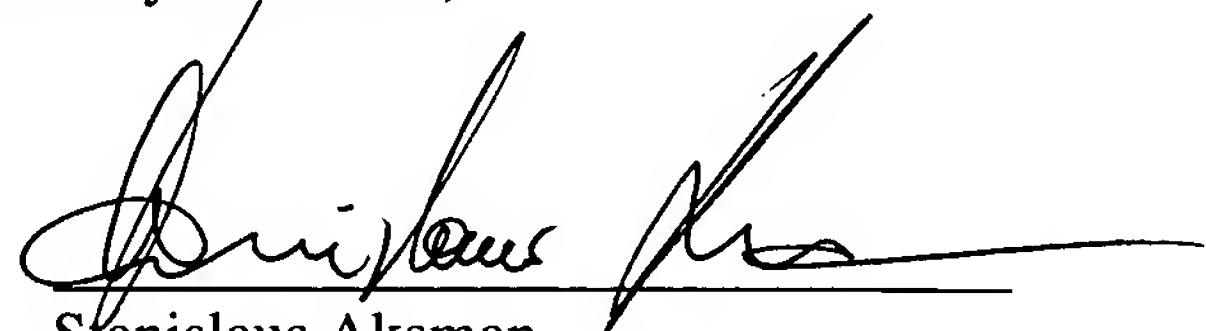
Page 6

Clark, Reg. No. 40,956; Trevor Q. Coddington, Reg. No. 46,633; Christopher J. Cuneo, Reg. No. 42,450; Ryan S. Davidson, Reg. No. 51,596; Patrick A. Doody, Reg. No. 35,022; Kevin T. Duncan, Reg. No. 41,495; Ozzie A. Farres, Reg. No. 43,606; Nancy J. Flint, Reg. No. 46,704; Christopher J. Forstner, Reg. No. 46,049; Charles F. Hollis, III, Reg. No. 40,650; Nancy J. Jensen, Reg. No. 45,913; Herbert V. Kerner, Reg. No. 42,721; Robert C. Lampe, III, Reg. No. 51,914; Jeffrey S. Leaning, Reg. No. 51,184; Jonathan D. Link, Reg. No. 41,548; Ryan S. Loveless, Reg. No. 51,970; Tyler Maddry, Reg. No. 40,074; J. Michael Martinez, Reg. No. 37,178; David H. Milligan, Reg. No. 42,893; James R. Miner, Reg. No. 40,444; Bryan F. Moore, Reg. No. 52,044; Jeffrey T. Perez, Reg. No. 52,110; Michael P.F. Phelps, Reg. No. 48,654; John P. Pinkerton, Reg. No. 28,746; Laurence H. Posorske, Reg. No. 34,698; Andrew J. Ririe, Reg. No. 45,597; Stephen T. Schreiner, Reg. No. 43,097; Robert M. Schulman, Reg. No. 31,196; Thomas J. Scott, Jr., Reg. No. 27,836; Yisun Song, Reg. No. 44,487; Shelley L. Spalding, Reg. No. 51,971; Rodger L. Tate, Reg. No. 27,399; Samson Vermont, Reg. No. 42,202; Robert J. Ward, Reg. No. 28,746; and Scott F. Yarnell, Reg. No. 45,245.

21. ☒ A check in the amount of \$ 1,290.00 is enclosed. In the event any variance exists between the amount enclosed and the Patent Office charges, please charge or credit any such variance to **Deposit Account No. 50-0206**.
- ☒ The U.S. Patent and Trademark Office is hereby authorized to charge any variance between the amount enclosed and the Patent Office charges to **Deposit Account No. 50-0206**.

Respectfully submitted,

By:


Stanislaus Aksman
Registration No. 28,562

SA/abs
Enclosures